

REMARKS

Claims 1, 7-10, 27-31 and 78 are pending in this application. Claims 3, 5-6, 12-26, 35-77 and 79-82 are withdrawn.

According to the Official Action, the Examiner has rejected claims 1, 7-10 and 27-31 on the basis that the specification is not enabling for derivatives, analogs, tautomeric forms or polymorphs. Claim 1 has been amended to delete the reference "to derivatives, analogs and tautomeric forms".

However, the rejection pertaining to polymorphs is respectfully traversed. As explained in paragraph 30 of the application, polymorphs of a compound of general formula (I) may be prepared by crystallization of compound of formula (I) under different conditions and examples of how various polymorphs may be prepared and characterized is given. It is noted that the Examiner states that there are no working examples of polymorphs encompassed by the instant claims. But as the Examiner well knows there is no requirement to include working examples in a U.S. specification. The statement in the Official Action that in order to establish the most stable polymorphic form each has to be characterized and screened individually using various analytical techniques such as X-ray diffraction, thermal analysis, particle morphology characterization, etc. is irrelevant as there is no disclosure or suggestion in the claims nor is it claimed that only the most stable polymorphic form of a compound of formula (I) is to be prepared. Different polymorphic forms may be used for different purposes.

Therefore, it is respectfully requested that this rejection be withdrawn.

The Examiner has rejected claims 1, 7-10 and 27-31 under 35 U.S.C. 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

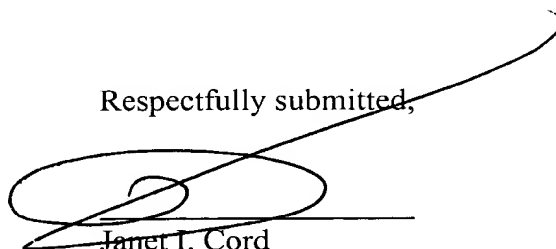
Claim 1 has been amended to replace the structural formula (III) with the

structural formula of (I). The terms derivatives, analogs and tautomeric forms have been deleted from claim 1. Accordingly, it is respectfully requested that this rejection be withdrawn.

The Examiner has rejected claims 1, 7-10, 27-31 and 78 as being obvious over Lohray WO 99/20614 in view of Claussner et al., U.S. Patent 5,646,172. Applicants respectfully traverse this rejection. The compounds of Claussner differ structurally from the compounds of formula (I) and they are used for a different purpose (anti androgen activity). According to column 5, line 24 of U.S. Patent 5,646,172, the sodium salt is preferred. This differs from the salts of claim 1. Furthermore, the statement in the '172 patent that the sodium salt is preferred teaches away from using the salts claimed in Claim 1. In addition, the Examiner's attention is drawn to the comparative data filed with the previous response. In addition, as shown in the second table on page 30 of the previous response the dose of Example 2 used to obtain a similar result to the compound of Example 30 of WO 99/20614 is 10X lower. This data referred establishes an advantage of the claimed compounds. Therefore, it is respectfully requested that the rejection be withdrawn.

Applicants submit that the present application is in condition for allowance and favorable is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small flourish.

Janet I. Cord
c/o Ladas & Parry LLP
26 West 61st Street
New York, New York 10023
Reg. No. 33, 778 (212-708-1935)